



**State of New Hampshire
DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095
(603) 271-2147 FAX (603) 271-6588



**LETTER OF DEFICIENCY
WET 2004-021**

June 30, 2004

Richard Feltham
PO Box 381
Colebrook, NH 03576

RE: DES Wetlands File #2004-00937, Tax Map 417, Lot 89, 35 Keach Road, Columbia

Dear Mr. Feltham:

On June 9, 2004, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Columbia Tax Map 417 as Lot 89 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented

1. Two 16" diameter corrugated metal culverts and associated fill were installed within a scrub-shrub wetland;
2. A woods road approximately 10' wide by 200' long was constructed within a forested wetland;
3. Dead trees, limbs, and stumps were placed in a wetland located behind the residence; and
4. A pit measuring 8'x 6' had been excavated in a wetland behind the residence.

DES records indicate that a wetlands permit had not been issued for the above-referenced deficiencies.

In response, you are requested to take the following actions:

1. By **July 30, 2004**, submit an after-the-fact standard dredge and fill application (enclosed) to DES to retain the culverts and the woods road constructed within a forested wetland;
2. By **July 30, 2004**, remove the dead trees, limbs, and stumps from wetlands and place out of DES Wetlands Bureau jurisdiction;
3. By **July 30, 2004**, restore the pit excavated within the wetland, and re-seed with a wetland conservation mix; and
4. By **August 15, 2004**, submit photos documenting the restoration in items 2. and 3. above to DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit,

this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon, Compliance Specialist
Wetlands Bureau
Department of Environmental Services
29 Hazen Drive
PO Box 95
Concord, NH 03302-0095

Should you have any questions regarding this letter, please contact Linda Magoon at (603) 271-4056 or by e-mail at lmagoon@des.state.nh.us.

Sincerely,

COPY
Collis G. Adams, CWS
Administrator
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 2354

cc: Wayne Childers
Rene Pelletier, Manager, Land Resources Management Program
Gretchen R. Hamel, Administrator, DES Legal Unit
Columbia Conservation Commission
Columbia Board of Selectmen
John Accardi, DRED
USACOE